

12/30/2011

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-196

NAME AND ADDRESS: CANYON CREEK CANAL CO INC
13289 E HWY 33
NEWDALE ID 83436

SOURCE: CANYON CREEK

TRIBUTARY: TETON RIVER

No more water may be diverted from Canyon Creek and the Teton River under this right than is actually available and could have been diverted by the Canal Company at its original point of diversion in T5N R43E S6 Lot 4, as demonstrated by the record of the required measuring devices.

Point of injection into and point of redirection from Teton River.

QUANTITY: 54.000 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION:

T05N R43E S6 Lot 4 Within MADISON County

T06N R42E S13 NWSE Within MADISON County

T06N R42E S13 SWSE Within MADISON County

T06N R43E S19 SWNW Lot 2 Within MADISON County

T07N R42E S23 NESE Injection Within MADISON County

T07N R42E S30 SENE Rediversion Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	54.000 CFS

PLACE OF USE:

10615 ACRES TOTAL

Place of use does not include Federal lands unless authorized in writing by the United States Bureau of Reclamation.

Place of use is within the area served by Canyon Creek Canal Company.

Right Nos. 22-195 and 22-196 are limited to the irrigation of a combined total of 10,615 acres in a single irrigation season.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to all prior and intervening water rights which would otherwise be injured by the approval of transfer 1985.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

The right holder shall install a permanent measuring device in Canyon Creek at the point of diversion located in T5N R43E S6 Lot 4. The right holder shall also install a permanent measuring device in Canyon Creek Canal and at each additional point of diversion.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Water is delivered through Canyon Creek Canal, P Stevens pump, G Crapo pump, Canyon Creek Lateral pumps, and an unnamed pump.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-196

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant CANYON CREEK CANAL CO INC
13289 E HWY 33
NEWDALE, ID 83436
(208)458-4969

Priority Date: 06/01/1902
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
CANYON CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	54 CFS	
Recharge for Irrigation	04/01	10/31	54 CFS	
Total Diversion			54 CFS	

Location of Point(s) of Diversion:

CANYON CREEK Lt 4 Sec. 06 Township 05N Range 43E MADISON County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

1. F01 Water is delivered through Canyon Creek Canal Company ditch.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 135
3. F05 Right No. 22-195 is also diverted through point of diversion described above.
Right Nos. 22-195 and 22-196 are limited to the irrigation of a combined total of 10615 acres in a single irrigation season.
4. E55
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. 129 Place of use is within the area served by Canyon Creek Canal Company.
Place of use does not include Federal lands unless authorized in writing by the United States Bureau of Reclamation.
- 7.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

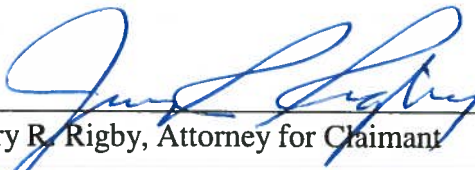
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.



Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)
) ss.
County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011



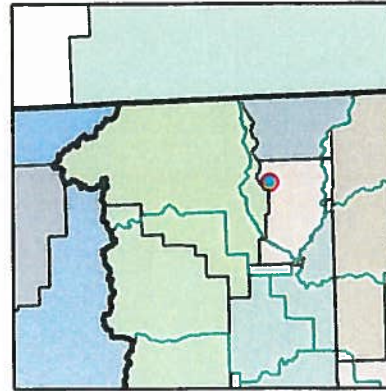
Canyon Creek Canal Co Inc

SRBA Recommendations: 22-195, 22-196

Service Area Boundary
GIS Place of Use Illustration

Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters

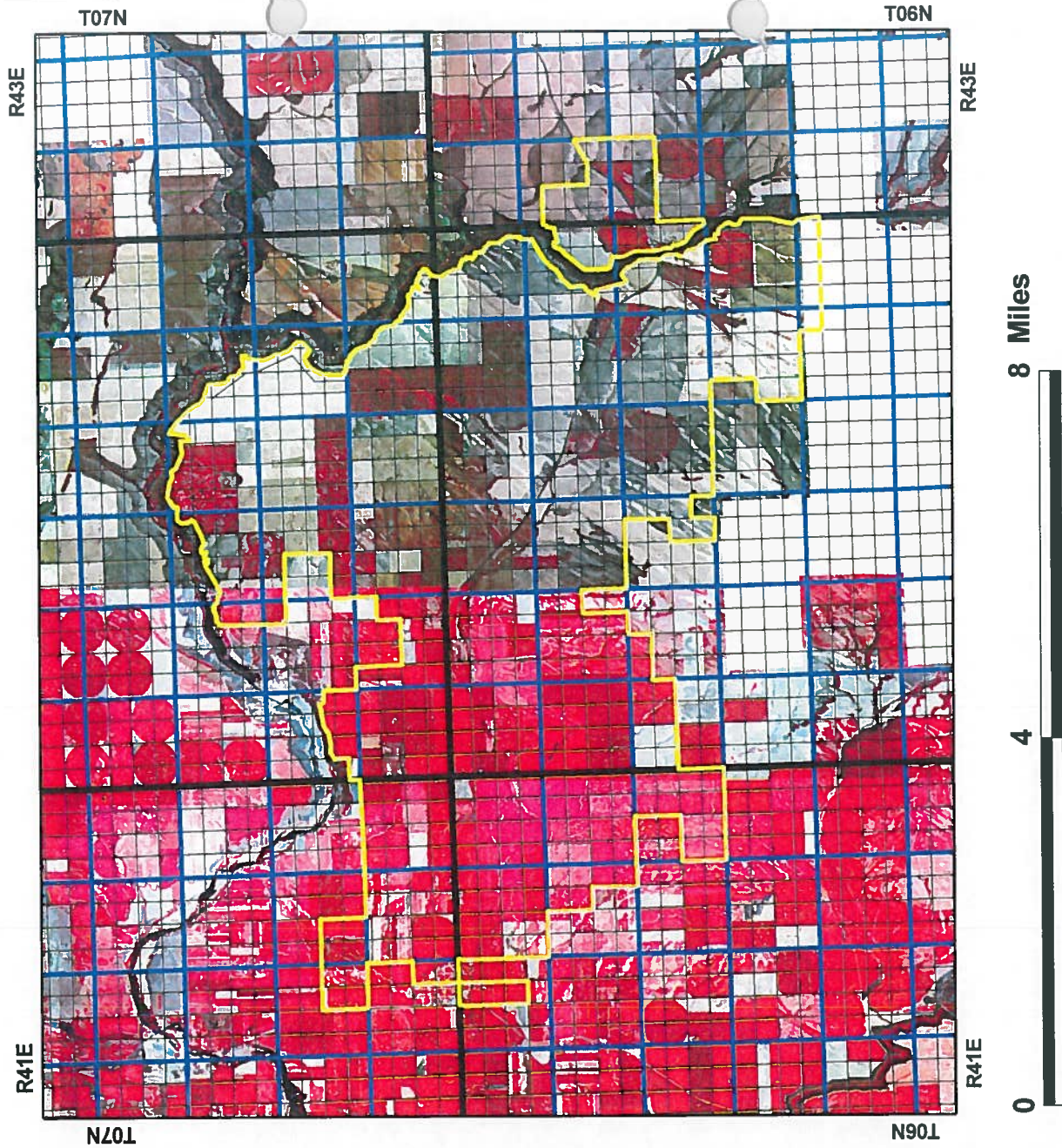


Fremont, Madison Counties
IDWR Basin 22



SCANNED
JUL 19 2007

Prepared by C. Moore
On Tuesday, September 19, 2006
1987/88 Aerial Photography



BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF:	)	
Application for Transfer of Water Right	)	MEMORANDUM DECISION
No. 22-0195/22-0196 in the name of	)	AND ORDER
<u>CANYON CREEK CANAL COMPANY</u>	)	

The Canyon Creek Canal Company holds decreed water rights from Canyon Creek for 16.0 cubic feet per second with priority of June 1, 1900, and 54.0 cubic feet per second with priority of June 1, 1902. The decree is silent as to the point of diversion, but these rights have historically been diverted at the Canyon Creek Canal heading which is located within Lot 4, Sec. 6, Twp. 5 N, Rge. 43 E, B.M., Madison County. The decree describes the lands irrigated by these rights as follows:

"Lands of stockholders of said company, situated in Township 5 North, Range 43 E., B.M., T. 6, N., R. 41 E., B.M., T. 6 N., R. 42 E. B.M., and in T. 7 N. R. 41 E., B.M., aggregating over 10,000 acres."

On April 6, 1976, the Canyon Creek Canal Company applied to the Department of Water Resources for a water right transfer which would add three additional points of diversion on Canyon Creek, downstream from the existing canal heading, and one proposed point of diversion on the Teton River. Notice of this application was published in the Rexburg Journal on May 13 and May 20, 1976.

The Director of the Department of Water Resources has reviewed the application and other files of the Department, and based upon his understanding of the law, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1) Assessment records indicate water users pay Canyon Creek Canal Company assessments on a total of only 1,385 acres of land.
- 2) Records of the Fremont-Madison Irrigation District indicate that as much as 2,547 acres may have been irrigated with water diverted from the Canyon Creek Canal.
- 3) The application for transfer describes lands claimed to have a water right from Canyon Creek totaling 10,615 acres.

4) Section 42-222, Idaho Code, provides that, "The Director of the Department of Water Resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby and the change does not constitute an enlargement in use of the original right."

5) There are several intervening rights to divert water from Canyon Creek downstream from the Canal Company's present point of diversion.

CONCLUSIONS OF LAW

1) The decreed water rights of the Canyon Creek Canal Company entitle it to divert up to 70.0 cubic feet per second from Canyon Creek if available under its priorities to irrigate "over 10,000 acres of land". While it is questionable that that much land has ever previously been irrigated due to availability of water supply and former surface methods of irrigation, the decreed right so provides.

2) Other water right holders who divert water from Canyon Creek under priorities subsequent to the Canyon Creek Canal Company rights are entitled to protection of their diversion and use of water under conditions which existed as their subsequent rights were established.

ORDER

IT IS, THEREFORE, ORDERED and Application for Transfer of Water Right No. 22-0195/22-0196 is hereby APPROVED subject to the following conditions:

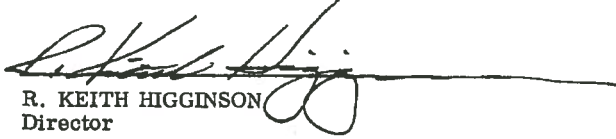
1) The applicant shall install a permanent measuring device in Canyon Creek at the applicant's present point of diversion, in the Canyon Creek Canal, and at each new point of diversion.

2) No more water may be diverted from Canyon Creek and the Teton River under these rights than is actually available and could have been diverted by the Canal Company at its original point of diversion as demonstrated by the record of the measuring devices required in paragraph 1) above.

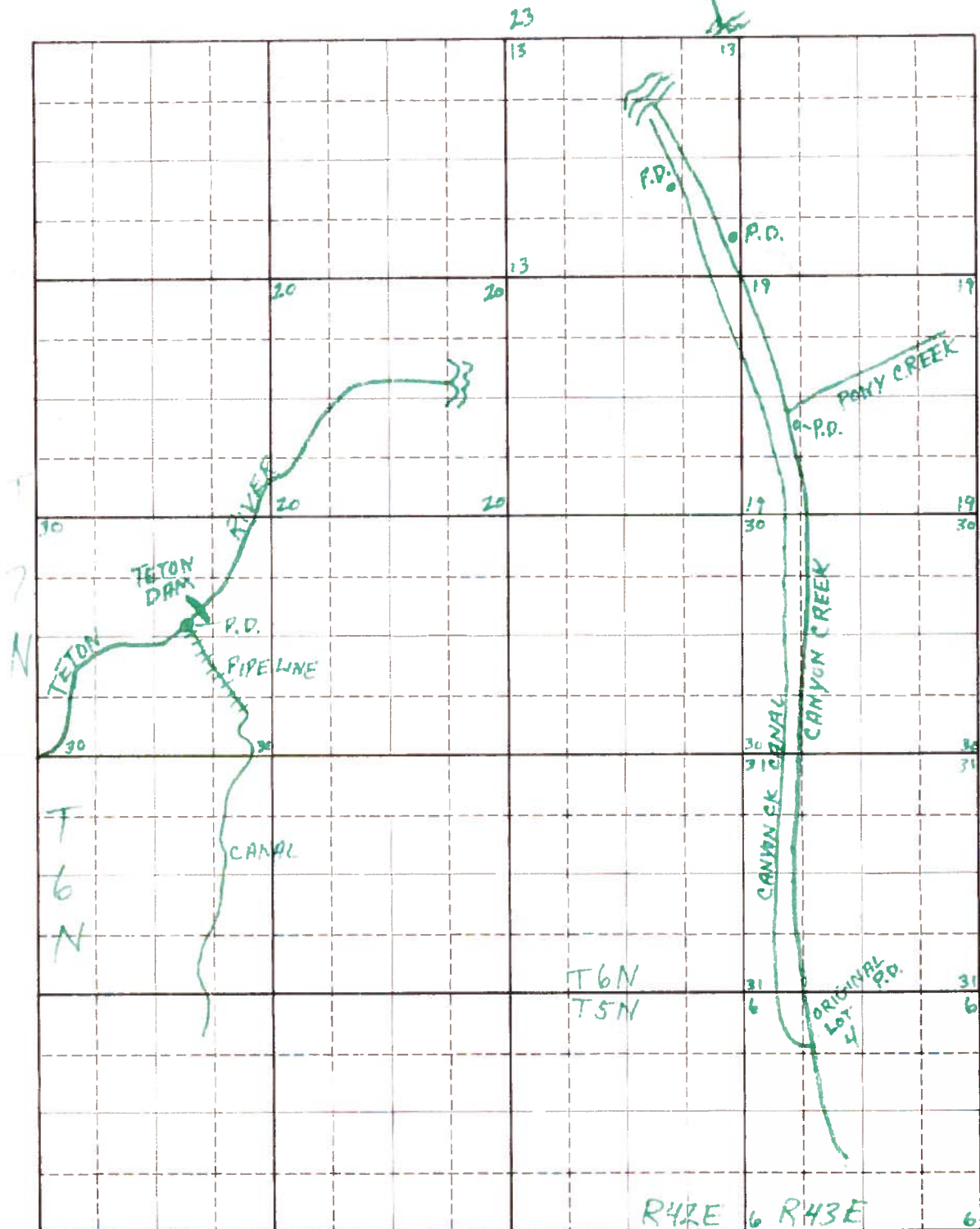
3) This approval is subject to all prior and intervening water rights which would otherwise be injured by such approval.

4) No more water may be diverted under this approval than the amount heretofore required to irrigate lands served by the Canyon Creek Canal Company.

Dated this 30th day of December, 1976.


R. KEITH HIGGINSON
Director

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

09/05/2006

NOTICE OF ERROR
REPLY

Please type, or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-195

CANYON CREEK CANAL CO INC

13289 E HWY 33

NEWDALE ID 83436

Telephone Number: (208)458-4969

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-25-06 SIGNATURE: Conn J Crapo

Please print your name: Conn J Crapo

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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JUL 19 2007

Kuo
11/3

Claim no. _____

Claimant Contact Log

Date 8-2-05 Remarks Agent initials

LEWIS KLINGLER - 458-4559

GPS Tag A0015926 on power panel post

Motor US Motors 800 hp ID#
Johnson pump SN GE 4929 53-00376-182 300

Boston - 150 hp US Electric ID# H02040440238092M

GPS data - 2697378 GPS 156
1409295 227440

Photo Logging South - GPS Tag on left

P.O.L. verified by Ryan Grapo - Asked Alvin
May for our
claims

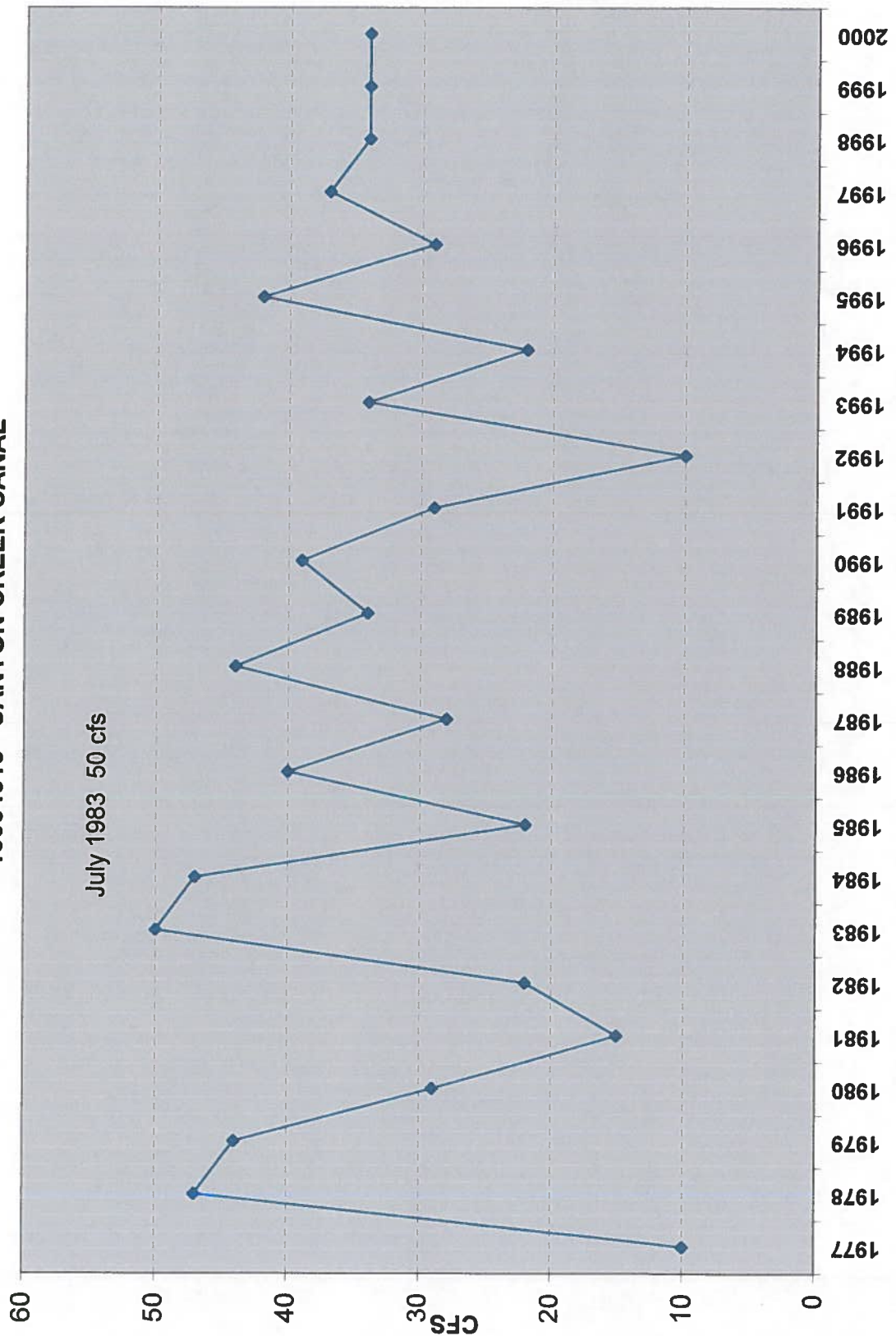
313-6314

⊗ Call Ryan Grapo on Canyon Creek
lateral also

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JUL 19 2007

MAXIMUM MONTHLY DIVERSION 1977-2000
13054515 CANYON CREEK CANAL



SCANNED

2002 6 1 JUL

Claim no. _____

Claimant Contact Log

Date	Remarks	Agent initials

ACTION REQUIRED

12-1-88

FROM: Eric Kern

TO: File

Canyon Creek needs to amend land list to include 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 T7N R41E. Code w/ this land list and send to them for signature and additional acreage fee -

EG

MICROFILMED

NOV 04 1992

SCANNED

JUL 19 2007

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: CANYON CREEK CANAL CO. Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: Dwight Little Phone No.: 458-4282

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

DECREED UNDER POLKMAN TRAIL vs TOWN TRAIL, 1910, AS: # 229,
TO CANYON CREEK CANAL & TRAIL CO., JUNE 1, 1902, CANYON CK,
2700'.

* SOME QUESTION THAT THIS CLAIM NEEDS TO BE AMENDED TO ADD
350AC - REVIEW w/ POLL MAP

FG: POD/POU. System/CONVERSION. USORS LIST
(OVERLAPPING PRIVATE TRS CARRIED BY CANAL)

Reviewer: _____ Date: _____

SCANNED

JUL 19 2007

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6/01/1902 Claimed Basis: DESCENDRecommended Priority Date: " Recommended Basis: "

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DESCEND

Reviewer: _____

Date: SCANNED

JUL 19 2007

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? 22-195 d Private Rts?

Transfers Pending or approved: _____

Document how the POD and Source were verified:

MULTIPLE POD's - GPS, Tag, Photo.

Reviewer: _____ Date: _____

SCANNED

JUL 19 2007

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: 22-195 - Private Rts?Document how the POU was verified:

LARGE POI 506 GPS mapping: w/ 2700" @ 0.024/Ac = 135,000 Ac
Ac Limits DO NOT Apply to this Pt.

Reviewer: _____ Date: _____

SCANNED
JUL 19 2007

Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prong	4/1	11/1	54"	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prong	4/1	10/31	54"	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

FDWR STD SOL AS 4/1 TO 10/31.

Reviewer: _____

Date: _____

SCANNED
JUL 19 2007

CLAIMANT'S NAME Canyon Creek Assn. Co. CLAIM # 1 IT. NO. 22-00196

DATE RECEIVED 8-22-88 CK # AMOUNT \$ 8109

	YES	NO
1. Is the name and address complete with zip code?	<u>X</u>	<u> </u>
2. Is a priority date entered?	<u>X</u>	<u> </u>
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	<u>X</u>	<u> </u>
(b) Is a tributary to entered? (if required) N/A	<u>X</u>	<u> </u>
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u> </u>
5. Is there a description of the diverting works?	<u>X</u>	<u> </u>
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	<u> </u>
Is the period of use included?	<u>X</u>	<u> </u>
Is a quantity claimed for each use?	<u>X</u>	<u> </u>
7. Is a total quantity claimed entered?	<u>X</u>	<u> </u>
8. If required is a consumptive use entered? N/A	<u>X</u>	<u> </u>
Is the consumptive use correct? N/A	<u>X</u>	<u> </u>
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A	<u>X</u>	<u> </u>
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u> </u>
11. Is (are) the county(ies) entered?	<u>X</u>	<u> </u>
12. Is the ownership of p.u. checked?	<u>X</u>	<u> </u>
13. Are other water rights listed or "none" indicated?	<u>X</u>	<u> </u>
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	<u>X</u>	<u> </u>
15. Is the basis of the claim indicated?	<u>X</u>	<u> </u>
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	<u>X</u>	<u> </u>
Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u> </u>
Was this claim filed on time, or was an extension granted?	<u>X</u>	<u> </u>
Is the fee enclosed correct? Exempt	<u>X</u>	<u> </u>
If this claim is based on an existing water right, has the identification number been entered? N/A	<u>X</u>	<u> </u>
Should this claim be receipted and data entered?	<u>X</u>	<u> </u>

Claim checked by: [Signature]

Comments:

MICROFILMED

NOV 04 1992

EO 01519 Rev 1522

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	Canyon Creek Canal Co.	54.0 cfs		22-0196
--	------------------------	----------	--	---------

1985	Canyon Creek Canal Co.	54.0 cfs	n/a	22-0196
------	------------------------	----------	-----	---------

22

E

F

S

N

A

R

T

Total number of acres to be irrigated 10,615

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

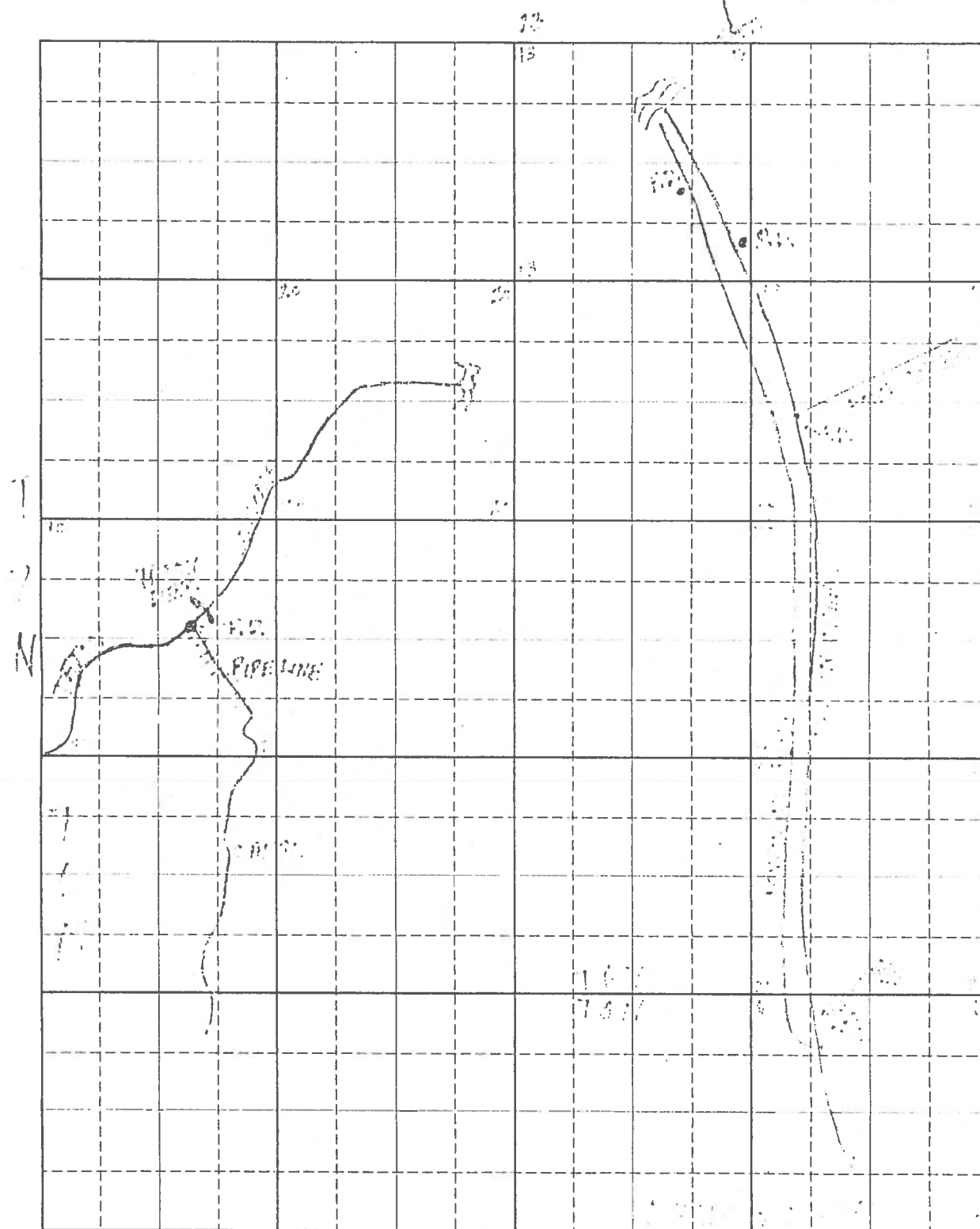
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 70.0 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion Lot 4 1/4 _____ 1/4, Section 6 Township 5N
Range 43 E., B.M., Madison County _____
Additional points NW 1/4 SE 1/4, Sec. 13, T. 6N, R. 42E; SE 1/4 SE 1/4, Sec. 13, T. 6N, R. 42E; SW 1/4 NE 1/4, Sec. 30, Twp. 7 N, R. 42 E; NW 1/4 SW 1/4, Sec. 19, T. 6N, R. 43E;
 - c. Description of diverting works New points of diversion will be pumps & motors and pipelines and new canals and ditches,
 - d. Describe the reasons for applying for a change in the point(s) of diversion As the spring river flows decrease, the head reduces and it becomes difficult to fill our decreed right at the original point of diversion. The new point of diversion will pump water from Canyon Creek into our canal and/or directly onto lands of stockholders of the corporation.
2. Change in place of use
 - a. Describe the lands or place of use to which the right will be transferred: NO CHANGE

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Canyon Creek Canal Co.
Blair Robinson Sec.
(Signature of applicant)

Subscribed and sworn to before me this 30th day of April, 19 76

My commission expires Life

Larry W. Rugh
(Notary public)
Reynolds, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0195/22-0196, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
PURSUANT TO MEMORANDUM DECISION AND ORDER OF THIS DATE

2. Denial of said application is for the following reasons: _____

Witness my hand this 30th day of December, 19 76

R. Keith Higginson
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by (initials) Date 5-04-76

Prelim. check by (initials) Fee \$20.00

Received by (initials) Date 5-06-76

Published in Asbury Journal 11/15/76

Pub. dates May 11-20, 1976

Watermaster recommendation requested on 5-02-76

10/1/76 rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-00196
Date Received: 8/22/1988
Receipt No: E101519
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANYON CREEK CANAL CO., INC. 208-458-4231
Address: AN IDAHO CORPORATION
-O. BOX 215
NEWDALE, ID 83436

2. Date of Priority: J

3. Source: CANYON CREEK : TETON RIVER

4. Point of Diversion:

Township	Range	Section	Lot	County
CANAL 05N	43E	6 ✓	4 ✓	MADISON
P STEVENS 06N PUMP	42E	13 ✓		MADISON
SHOULD BE 6N 42E 13 SWSE		24 ✓		MADISON
G CRAPO PUMP	43E	19 ✓		MADISON
CAN CR LAT 07N	42E	30 ✓		MADISON

WAS RIGHT NEXT TO EXCHANGE WELL
NO LONGER USED PER TONY
NE NE
CRAPO NW SW SHOULD BE SWNW L2
SE NE

5. Description of diverting works:
A DAM WITH CANAL AND DITCHES FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	54.000		

7. Total Quantity Appropriated is:
54.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 26537.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00196

Page 1

Date: 02/01/89

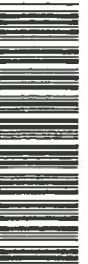
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JUL 19 2007

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NOV 04 1992

A2200196



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A22-00195, SEVERAL PRIVATE CLAIMS FILED BY SHAREHOLDERS.

14. Remarks:

TRANS. #1985.

A DAM ON CANYON CREEK DIVERTS WATER INTO THE COMPANY'S CANAL, WHICH TRAVERSES THE SERVICE AREA WHERE WATER IS TAKEN INTO LATERAL DITCHES OF THE STOCKHOLDERS, OR PUMPED FROM THE CANAL OR DITCHES; OR WATER WILL BE PUMPED FROM CANYON CREEK ITSELF OR TETON RIVER INTO PIPELINES LEADING TO THE STOCKHOLDERS' LANDS. SEE DETAILED DESCRIPTIONS OF THE MAJOR PUMPING SYSTEMS IN CLAIMS OF STEVECO FARMS, INC., AND CANYON CREEK LATERAL DITCH WATER ASSOCIATION, ALSO FILED IN THE ADJUDICATION.

*** SEE A22-00195 FOR COMPLETE PLACE OF USE LISTING.--PRM

*** ALSO PAID FOR UNDER RECEIPTS E001520, E001521, E001522.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL.

Decree Plaintiff

vs

TETON IRR. CANAL CO.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number 22-0196

Date Received 8-22-88

Receipt Number E001519, E001520
E001521, E001522

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Canal Co., Inc., an Idaho
corporation, with its principal office at Phone (208) 458-4231

Mailing Address Newdale, Idaho Zip 83436

2. Date of Priority (Only one (1) per claim) June 1, 1902

3. Source of water supply (a) Canyon Creek
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 5N Range 43E Section 6

1/4 of 1/4 of 1/4, Govt. Lot, 4 B.M., County of Madison

Additional points of diversion if any: NW1/4 SW1/4, Sec. 19, T. 6N, R. 43 E.B.M.; NE1/4 NE1/4, Sec. 24,
T. 6N, R. 42 E.B.M.; NW1/4 SE1/4, Sec. 13, T. 6N, R. 42 E.B.M.; SE1/4 NE1/4, Sec. 30, T. 7N,
b. If instream flow, beginning point of claimed instream flow is: R. 42 E.B.

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. A dam on Canyon Creek diverts the water into the company's canal, which canal traverses the service area where water is taken therefrom into lateral ditches of the stockholders, or pumped from the canal or ditches; or water will be pumped from Canyon Creek itself or Teton River into pipelines leading to the stockholders' lands. See detailed descriptions of the major pumping systems in claims of Steveco Farms, Inc., and Canyon Creek lateral ditch water association, also filed in the adjudication.

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 54.0 or 31,845*

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

*Which includes the water claimed on #22-0195

7. Total quantity claimed (a) 54.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 26,537** acre feet per annum.

**Which includes the water claimed on #22-0195

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			SEE ATTACHMENT NO. 1																

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Most of the stockholders have other rights held in their individual names, or None ()
and are filing their individual claims. Also see #22-0195.

14. Remarks:

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Last Name Canyon Creek Canal Co. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

The image displays a 16x16 grid of squares, each containing a crosshair pattern. The grid is divided into four 8x8 quadrants. The top-left and bottom-right quadrants are white, while the top-right and bottom-left quadrants are shaded gray. This layout is typical for a 4x4 grid of 8x8 sub-grids, often used for testing or as a template for a larger grid.

NOV 04 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President
Title
of _____ Canyon Creek Canal Co., Inc. _____, that I have signed the foregoing
Organization
document in the space below as _____ President _____ of _____ Canyon Creek Canal Co., Inc. _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Grant Klingler
Canyon Creek Canal Co., Inc.
Title and Organization By: Its President Date 8/19/88

State of Idaho/or _____)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 19th day of August 19 88

SEAL

Notary Public Ray W. Rigby

Residing at Rexburg, Idaho

My Commission Expires 3-12-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 8/19/88

Last Name Canyon Creek Canal Co. Ident. Number _____

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JUL 19 2007

NOT RECORDED

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Copies White-State, Yellow-Claimant

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Attachment 1

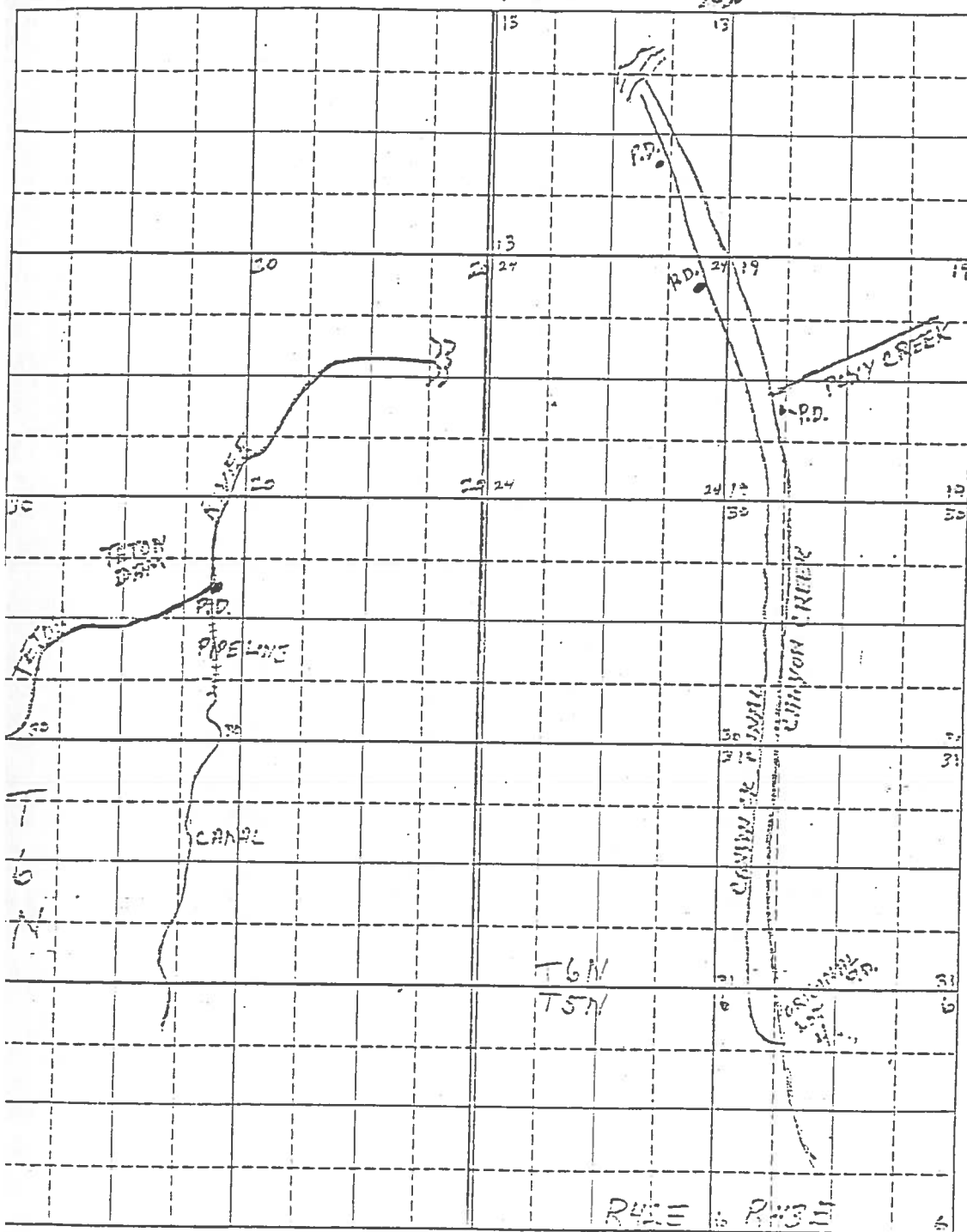
TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	41E	26	0	0	0	0	0	0	0	0	40	0	0	40	0	0	0	0	80
		34	0	0	0	40	0	0	0	0	0	0	0	0	40	0	0	40	120
		35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36	40	40	40	40	40	40	40	40	40	40	0	0	40	40	40	40	560
7N	42E	30	0	0	0	0	0	0	0	0	9	0	40	40	21	12	40	40	202
		31	0	0	40	40	0	0	40	40	40	40	40	40	40	40	40	40	480
		32	0	0	0	40	0	0	0	0	40	40	40	40	40	40	40	40	360
		33	0	0	0	0	40	0	40	40	40	40	40	40	40	40	40	40	440
		34	0	0	0	0	0	0	0	0	40	40	40	40	0	0	0	0	160
		26	0	0	0	0	0	40	40	40	40	40	40	40	0	0	0	0	280
		35	0	30	40	21	40	40	40	40	40	40	40	40	40	40	40	40	571
		36	0	0	0	0	0	0	0	0	0	13	40	0	0	0	0	0	53
6N	41E	1	40	40	0	0	0	0	0	0	0	0	0	0	0	0	40	40	160
		3	0	27	27	0	0	0	0	0	0	0	0	0	0	26	0	0	80
		12	40	40	40	40	0	0	0	0	0	0	0	0	40	0	0	40	240
6N	42E	1	0	0	0	0	0	0	0	0	40	40	40	40	0	0	0	0	160
		2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		3	0	0	0	0	0	0	0	0	0	0	0	0	25	0	0	40	65
		4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		8	0	40	10	0	40	40	40	40	40	40	40	40	0	10	10	0	390
		9	40	40	40	40	40	40	40	40	0	0	0	0	0	0	0	0	320
		10	40	40	40	40	0	0	0	25	40	40	40	40	40	40	40	40	505
		11	40	40	40	40	40	40	40	40	40	40	10	35	40	0	30	40	555
		12	0	0	0	0	40	40	40	30	10	40	35	5	30	30	30	30	360
		13	30	12	10	30	0	0	0	0	10	0	0	10	30	10	10	0	152
		14	25	15	40	40	30	30	30	30	0	0	0	0	30	30	30	0	330
		15	30	30	30	30	0	0	0	0	0	0	0	0	30	30	30	30	240
		24	12	39	40	32	39	0	0	40	0	0	0	0	0	0	0	0	202
6N	43E	7	0	0	0	0	0	0	0	0	30	30	30	30	0	0	35	35	190
		18	30	30	0	0	30	30	0	0	0	0	0	0	0	0	0	0	120

Total number of acres irrigated 11,215*

*After deducting for highways, etc., the total irrigated acres does not exceed 10,615

acres

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Attachment 2

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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0-3-21



NOT TO SCALE

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